

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

TRUSTEES OF THE SOFT DRINK INDUSTRY -)	
LOCAL UNION NO. 744 PENSION FUND,)	
)	
Plaintiff,)	
)	
v.)	Case No. 08 C 0502
)	
ROYAL CROWN BOTTLING COMPANY OF)	Judge Leinenweber
CHICAGO, A Tennessee Corporation,)	Mag. Judge Nolan
)	
Defendant.)	

MOTION OF PLAINTIFF, TRUSTEES OF THE SOFT DRINK INDUSTRY -
LOCAL UNION NO. 744 PENSION FUND FOR JUDGMENT
ON THE PLEADINGS OR FOR SUMMARY JUDGMENT

Plaintiff, TRUSTEES OF THE SOFT DRINK INDUSTRY - LOCAL UNION NO. 744 PENSION FUND ("Fund"), by and through its attorneys, Barry Collins and Librado Arreola of Asher, Gittler, Greenfield & D'Alba, Ltd., states that there is no dispute as to any material fact and that the Fund is entitled to judgment as a matter of law, and respectfully moves the Court to enter a judgment on the pleadings pursuant to Rule 12 of the Federal Rules of Civil Procedure or an Order granting summary judgment in its favor and against the Defendant ROYAL CROWN BOTTLING COMPANY OF CHICAGO ("Royal Crown"), pursuant to Rule 56 of the Federal Rules of Civil Procedure.

Respectfully submitted,

/s/Barry G. Collins; IL ARDC#: 3126979

/s/ Librado Arreola; IL ARDC#: 6203323

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